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*Attorneys for GitHub, Inc. and Microsoft Corporation*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

J. DOE 1, et al.,  
  
Individual and  
Representative Plaintiffs,  
  
v.  
  
GITHUB, INC., et al.,  
  
Defendants.

AND CONSOLIDATED ACTION

Case No. 4:22-cv-6823-JST  
Consolidated w/ Case No. 4:22-cv-7074-JST

**DEFENDANTS GITHUB AND  
MICROSOFT'S LOCAL RULE 79-5(f)  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED**

Date: May 4, 2023  
Time: 2:00 p.m.  
Courtroom: 6, 2d Floor  
Judge: Hon. Jon S. Tigar

Complaint Filed: December 7, 2022

Pursuant to Civil Local Rules 7-11 and 79-5(f) and the Stipulated Protective Order (ECF No. 63), GitHub and Microsoft hereby move to file under seal portions of Exhibit 1 to the Hurst Declaration ISO GitHub and Microsoft's Opposition to Plaintiffs' Motion To Maintain Confidentiality Designations For Plaintiffs' True Names ("Hurst Declaration"), because Plaintiffs designated the true names of Plaintiffs listed in that exhibit as "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" ("AEO") under § 6.3 of the Stipulated Protective Order. ECF No. 71. In support of this request, GitHub and Microsoft submit attached hereto, a copy of Exhibit 1 to the Hurst Declaration with highlighted portions indicating the information subject to this request to seal, as well as a proposed order.

Specifically, GitHub and Microsoft seek an order sealing the following information that Plaintiffs have sought to designate as AEO:

Portion of Exhibit to be Sealed	Basis for Sealing Document or Portions Thereof
Highlighted portions of Exhibit 1 to the Hurst Declaration.	The highlighted portions reflect information that Plaintiffs seek to designate as "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" under § 6.3 of the Stipulated Protective Order.

The only purpose for this sealing request is to comply with Defendants' obligations under the Protective Order to observe Plaintiffs' AEO designation of the material until such time as it is lifted by the Court. Defendants do not agree that this information meets the AEO standard and in fact have objected to it.

Dated: April 13, 2023

Orrick, Herrington & Sutcliffe LLP

By: /s/ Annette L. Hurst  
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GitHub, Inc. and Microsoft Corp.